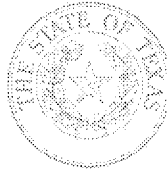


Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 1, 2022

Janet McCabe
Deputy Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Sent via email to: mccabe.janet@epa.gov

Dear Deputy Administrator McCabe:

As I shared with Regional Administrator Nance and Mr. Katims last week, Texas has asked the National Academies of Sciences, Engineering, and Medicine (NASEM) to undertake additional toxicological work on the risks posed by ethylene oxide.

I respectfully ask EPA to state its support or that it does not object to NASEM accepting this engagement.

I appreciate that EPA recognizes IRIS's 2016 inhalation unit risk estimate (URE) for ethylene oxide as the best available science and that the IRIS URE is the subject of the pending 2020 MON final rule. And we are acutely aware that ethylene oxide is the subject of an energetic political conversation. My aim is simply that NASEM advance the science.

From my perspective, considering TCEQ's 2020 assessment as well as studies that post-date the IRIS URE, there is significant uncertainty about the risks of ethylene oxide. My request does not ask EPA to endorse that view or to lend any weight to other studies, including TCEQ's. And NASEM's work is unlikely to bear on the pending rulemaking because that record will close well before NASEM would complete its work (which I understand would take approximately 18 to 24 months).

During a February 17th meeting with Administrator Nance and Mr. Katims, I asked EPA to refer a review of ethylene oxide's risks to its Science Advisory Board (SAB). That request is pending. I expect the SAB has many competing priorities and can

understand if this work is not an EPA priority. That is why we thought to engage NASEM.

EPA's statement of support or that it does not object to such a review would underscore EPA's commitment to sound science. And it would be viewed as a vote of confidence by EPA in the IRIS URE.

Thank you for considering my request. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Niermann", followed by a horizontal line.

Jon Niermann, Chairman
Texas Commission on Environmental Quality

cc: Earthea Nance, Region 6 Administrator, U.S. EPA
Casey Katims, Deputy Associate Administrator for Intergovernmental Relations,
U.S. EPA